REMARKS

Amendment K is hereby provided after careful consideration of the Office Action mailed October 3, 2008. Claims 9, 10, 12, and 18-22 remain in the application after Amendment K is entered. Reconsideration of the application is respectfully requested in view of the amendments and remarks provided herein.

The Office Action

Claims 9, 10, 12, and 18-22 stand rejected under 35 U.S.C. § 103(a) for allegedly being obvious over U.S. Patent Application Publication No. 2002/0040375 to Simon et al. in view of U.S. Patent No. 6,366,918 to Guttman et al.

The Art Rejections

Claims 9 and 12 Patentably Distinguish Over the Combination of Simon and Guttman.

As amended, claim 9 is directed to a document creation system that includes "a user interface which collects document content and quantitative document intent information ...; a document editor, capturing the document content and quantitative document intent information and storing a corresponding document description and document intent vector ...; a document formatter, using said document description and document intent vector to format examples of the document description for subsequent display and user selection at said user interface to selectively change the quantitative document intent information provided to the document editor; and a document processing component receiving the document description and document intent vector and employing the document intent vector to produce a formatted document description."

Simon discloses a system and method for organizing a plurality of digital images in a plurality of different predetermined page format, analyzing the page layouts in accordance with a predetermined criteria, and selecting a page layout based on the predetermined criteria (see Abstract). The Simon system includes a personal computer 12 with input devices 40 and a display monitor 50 (see para 47; FIG. 1). The Simon

method includes a page layout subroutine 140 that calculates a page layout of the images and displays 150 results on the display monitor 50 so the user can either accept 160 the page layout or iterate through the page layout subroutine 140 until an acceptable layout is obtained (see para 50; FIG. 5). Upon reaching an acceptable page layout, the Simon user may choose to store a template of the page layout for future use instead of iterating through the page layout subroutine 140 (see para 51; FIG. 5). The Simon predetermined criteria for analyzing page layouts may include minimizing white space for the page layout (see para 52). The Simon page layout subroutine 140 may take into account the aesthetic considerations of the image page layout, such as the spatial balance of the images on the page (see para 55; FIG. 5).

The Simon page layout subroutine 140 may be executed by a variety of optimization techniques (see para 57). The Simon method includes a page layout subroutine 140 that generates a trial page layout for n images 200 and scores the trial page layout by a cost function 210. The Simon cost function may include minimizing white space for the page layout. See para 59; FIG. 7. The optimization goal of the Simon page layout subroutine is to find a page layout that minimizes the cost function. The Simon method may use a simulated annealing approach to find an optimal page layout. The Simon simulated annealing approach modifies the current trial page layout to generate a new trial page layout 220. The new Simon trial page layout is scored by the cost function 230. See para 60; FIG. 7. The Simon page layout subroutine (220, 230, 24, 250) provides an iterative process of modifying, scoring, and comparing a new page layout to a prior page layout to determine which page layout to keep (see para 62; FIG. 7).

Guttman discloses a method and apparatus that optimizes publication layouts by generating and evaluating a large number of publication layouts and selecting the optimal layout. The Guttman optimal layout has an optimal relationship between placement of advertisements and stories, maximization of revenues, and minimization of printing costs. See Abstract. The Guttman method may include evaluating the fitness of the different publication layouts 306 (see col. 8, lines 1-2; FIG. 3). The Guttman evaluation includes determining how much it would cost to print each layout,

an analysis of the aesthetics of the layout, and a combined total fitness value (see col. 8, lines 12-17).

Notably, neither Simon nor Guttman disclose or fairly suggest a system that collects document content and document intent information from a user, captures the document content and document intent information, stores a corresponding document description and document intent vector, and formats examples of the document description for user selection to selectively change the quantitative document intent information with a document processing component that receives the document description and employs the document intent vector to produce a formatted document description as recited in claim 9. Based at least on the foregoing, it is submitted that claim 9 is patentably distinguished from the combination of Simon and Guttman. Accordingly, the Applicant respectfully submits that independent claim 9 and claims dependent thereon (e.g., claim 10) are currently in condition for allowance.

As amended, claim 12 is directed to a document indexing and retrieval system that includes "a user interface configured to collect document content and quantitative document intent information ...; a document indexing system, capturing the document content and quantitative document intent information and storing a corresponding document description and document intent vector ...; a document retrieval system configured to retrieve said document description and document intent vector to format examples of the document description for subsequent display and user selection at the user interface to selectively change the quantitative document intent information provided to the document indexing system; and a document processing component receiving the document description and document intent vector and employing the document intent vector to produce a formatted document description."

The October 3, 2008 Office Action repeats the same reasons for rejection of independent claim 12 as stated in the § 103(a) rejection of claim 9. Therefore, the disclosures of Simon and Guttman identified above are also related to arguments distinguishing claim 12.

Notably, neither Simon nor Guttman disclose or fairly suggest a system that collects document content and document intent information from a user, captures the document content and document intent information, stores a corresponding document

description and document intent vector, and formats examples of the document description for user selection to selectively change the quantitative document intent information with a document processing component that receives the document description and employs the document intent vector to produce a formatted document description as recited in claim 12. Based at least on the foregoing, it is submitted that claim 12 is patentably distinguished from the combination of Simon and Guttman. Accordingly, the Applicant respectfully submits that independent claim 12 is currently in condition for allowance.

Claim 10 Patentably Distinguishes Over the Combination of Simon and Guttman.

Claim 10 depends from independent claim 9. Accordingly, claim 10 is patentably distinct from the combination of Simon and Guttman for at least the same reasons provided above distinguishing claim 9 from the combination of Simon and Guttman. Based at least on the foregoing, the Applicant respectfully submits that claim 10 is currently in condition for allowance.

Claims 18, 19, and 21 Patentably Distinguish Over the Combination of Simon and Guttman.

As amended, claim 18 is directed to a document using system that includes "a first user interface that collects document content and first quantitative document intent information ... from a creator of the document content; a second user interface that collects second quantitative document intent information ... from a user of the document content; an intent combiner for reconciling the first and second quantitative document intent information to form reconciled quantitative document intent information; a document editor for capturing the document content and reconciled quantitative document intent information and storing a corresponding document description and document intent vector ...; and a document processing component receiving the document description and document intent vector and employing said document intent vector to produce a formatted document description."

The October 3, 2008 Office Action cites the same sections of Simon and Guttman for rejection of independent claim 18 as cited in the § 103(a) rejections of

claims 9 and 12. Therefore, the disclosures of Simon and Guttman identified above are also related to arguments distinguishing claim 18.

Notably, neither Simon nor Guttman disclose or fairly suggest a system that collects document content and first quantitative document intent information from a creator of the document content, collects second quantitative document intent information from a user of the document content, reconciles the first and second quantitative document intent information to form reconciled quantitative document intent information, captures the document content and reconciled quantitative document intent information, and stores a corresponding document description and document intent vector with a document processing component that receives the document description and employs the document intent vector to produce a formatted document description as recited in claim 18. Based at least on the foregoing, it is submitted that claim 18 is patentably distinguished from the combination of Simon and Guttman. Accordingly, the Applicant respectfully submits that independent claim 18 is currently in condition for allowance.

As amended, claim 19 is directed to a document using system that includes "a document creator system user interface that collects document content and document creator quantitative document intent information ...; a document using system user interface receiving document user quantitative document intent information ...; a document using system document processor, combining the document creator quantitative document intent information and said document user quantitative document intent information ...; a document editor for capturing the document content and combined quantitative document intent information and storing a corresponding document description and document intent vector ...; and a document processing component receiving the document description and document intent vector and employing the document intent vector to produce a formatted document description."

The October 3, 2008 Office Action repeats the same reasons for rejection of independent claim 19 as stated in the § 103(a) rejection of claim 18. Therefore, the disclosures of Simon and Guttman identified above are also related to arguments distinguishing claim 19.

Notably, neither Simon nor Guttman disclose or fairly suggest a system that collects document content and document creator quantitative document intent information, receives document user quantitative document intent information, combines the document creator and document user quantitative document intent information, captures the document content and combined quantitative document intent information, and stores a corresponding document description and document intent vector with a document processing component that receives the document description and employs the document intent vector to produce a formatted document description as recited in claim 19. Based at least on the foregoing, it is submitted that claim 19 is patentably distinguished from the combination of Simon and Guttman. Accordingly, the Applicant respectfully submits that independent claim 19 and claims dependent thereon (i.e., claim 20) are currently in condition for allowance.

As amended, claim 21 is directed to a document processing system that includes "a document user interface which collects document content and document intent information ... including a plurality of quantified intents defined as functions of relative importance reflecting value properties of the document content; a document editor which captures the document content and document intent information, forms a document description ..., compiles said value properties into a document intent vector ... derived from a matrix of weights defining the contribution of each value property to the document intent vector ...; and a document processing component receiving the document description and document intent vector and employing the document intent vector to produce a formatted document description."

The October 3, 2008 Office Action repeats the same reasons for rejection of independent claim 21 as stated in the § 103(a) rejection of claim 18. Therefore, the disclosures of Simon and Guttman identified above are also related to arguments distinguishing claim 21.

Notably, neither Simon nor Guttman disclose or fairly suggest a system that collects document content and document intent information, including a plurality of quantified intents defined as functions of relative importance reflecting value properties of the document content, captures the document content and document intent information, forms a document description, and compiles the value properties into a

document intent vector derived from a matrix of weights defining the contribution of each value property with a document processing component that receives the document description and employs the document intent vector to produce a formatted document description as recited in claim 21. Based at least on the foregoing, it is submitted that claim 21 is patentably distinguished from the combination of Simon and Guttman. Accordingly, the Applicant respectfully submits that independent claim 21 and claims dependent thereon (i.e., claim 22) are currently in condition for allowance.

Claim 20 Patentably Distinguishes Over the Combination of Simon and Guttman.

Claim 20 depends from independent claim 19. Accordingly, claim 20 is patentably distinct from the combination of Simon and Guttman for at least the same reasons provided above distinguishing claim 19 from the combination of Simon and Guttman. Based at least on the foregoing, the Applicant respectfully submits that claim 20 is currently in condition for allowance.

Claim 22 Patentably Distinguishes Over the Combination of Simon and Guttman.

Claim 22 depends from independent claim 21. Accordingly, claim 22 is patentably distinct from the combination of Simon and Guttman for at least the same reasons provided above distinguishing claim 21 from the combination of Simon and Guttman. Based at least on the foregoing, the Applicant respectfully submits that claim 22 is currently in condition for allowance.

CONCLUSION

For the reasons detailed above, it is submitted all remaining claims (Claims 9, 10, 12 and 18-22) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	**8**	**- 20 =**	**0**
INDEPENDENT CLAIMS	**5**	**- 12 =**	**0**

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Alan C. Brandt, at Telephone Number (216) 363-9000.

Respectfully submitted,

FAY SHARPE LLP

February 3, 2009
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